

**MINUTES**  
**Texas Board of Health Meeting**  
**October 30, 2003**

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The October 30, 2003, meeting of the Texas Board of Health (Board) was called to order at 1:35 p.m., at the Texas Department of Health (department), 1100 West 49<sup>th</sup> Street, Room M-739, Austin, Texas. Mr. George H. McCleskey, Chair, presided. A quorum was present with members, Mario Anzaldúa, M.D., Raymond Hannigan, Margo Scholin, B.S.N., M.S., J.D and Mary E. Ceverha., in attendance.

**Registered Guests**

Laura Fries, San Antonio Current, San Antonio, Texas  
Lisa Gerard, Fairmount Center, Dallas, Texas  
Suzanne Besser, Facilitators of Learning on Prenatal Life, Belton, Texas  
M. E. Aquino, Alamo Women's Clinic, San Antonio, Texas  
Gracie L. Gutiesren, Alamo Women's Clinic, San Antonio, Texas  
Erica Brumleve, Glaxo Smith Kline  
Lillie Gilligan, Glaxo Smith Kline  
Scot Kibbe, for Senator Bob Deuell  
Matthew T. Wall, Associate General Counsel, Texas Hospital Association  
Starr West, Texas Hospital Association  
Jana Huband, The Justice Foundation, San Antonio, Texas  
Molly S. White, Executive Director, Living the Redeemed Life Ministries, Inc.  
Simone Nichols, Planned Parenthood  
Natalie White  
Myra J. Myers, Women Who Regret Their Abortions  
Gayle Harris, Texas Medical Association  
Carrie Kroll, Texas Pediatric Society  
Lesley Ramsey, Vice President, National Organization for Women, Texas  
Monica Faulkner, for Representative Jessica Farrar  
Greg Hoke, Wyeth  
Anne Newman  
Regina Martin, Legislative Budget Board  
Danielle Tierney, Planned Parenthood  
Peggy Romberg, Women's Health and Family Planning Association of Texas  
Erica Spencer, for Representative George West  
Amy Hastin Miller, Whole Women's Health, Austin  
Juliana Lemeck  
Heather Paffe, Political Director, Texas Association of Planned Parenthood  
Harry Cabloa, Associated Press  
Kathy Seay, Policy Advisor for Representative Frank J. Corte, Jr.  
Bill Crowden, Planned Parenthood of Central Texas  
Camille D. Miller, Texas Institute for Health Policy Research  
Ernie Schmid, Texas Hospital Association  
Beverly B. Nuckols, M.D., Executive Board member, Texas Physicians Resource Council  
Stacey Emick, Texas Right to Life  
Robin Chandler, for Representative Eddie Rodriguez  
Kelli Soika, House Research Organization  
Sarah Wheat, Public Affairs Director, Texas Abortion and Reproductive Rights Action League  
Annie Neuman

Mr. McCleskey welcomed guests. Also in attendance at the meeting were Eduardo J. Sanchez, M.D., M.P.H., Commissioner of Health, and other key staff members of the department.

ON A MOTION MADE BY MR. HANNIGAN AND SECONDED BY MS. SCHOLIN, THE MINUTES OF THE SEPTEMBER 19, 2003 TEXAS BOARD OF HEALTH MEETING WERE APPROVED.

Dr. Sanchez spoke regarding recent activities of the Commissioner and presented the Commissioner's Report. Dr. Sanchez announced the death of retired TDH employee, Ms. Jesse Yoas, and paid tribute to her many years of service to public health in Texas. He also announced today's Grand Opening of the new Texas Public Health Laboratory. (*Attachment I*)

Rick Danko, Dr. P.H., Director, Office of Strategic Health Planning, presented an update on the State Strategic Health Partnership. Dr. Sanchez introduced Ms. Milla Perry Jones, Senior Vice President for Marketing and Philanthropy Planning, at Texas Community Bank and Trust of Dallas, as the new co-chair for the partnership. Ms. Jones spoke regarding her interest in the health of Texans and opportunities the partnership has to impact the health of future generations. (*Attachment II*)

Mr. Mark Scott, Director, Internal Audit, reported on recent audits issued, external audit activity, and audit consolidation workgroups. It is anticipated that the statewide audit will be issued in March of 2004. (*Attachment III*)

Ms. Elaine Powell, Director, Business Improvement Office, presented an update on the activities of the Business Improvement Office that included information about a future biennial wrap-up of the business practice evaluation which will include four main themes: communications, personnel, financial systems, and information resources. Ms. Powell reported that she is chairing the Operations Council, which represents the entire department, which is addressing organizational changes due to consolidation activities. (*Attachment IV*)

Mr. Richard Bays, Associate Commissioner, Consumer Health Protection, presented proposed rules concerning the regulation of abortion facilities. The proposed sections cover general provisions, licensing procedures, enforcement, and minimum standards for licensed abortion facilities. (*Attachment V*)

A MOTION WAS MADE BY MS. SCHOLIN AND SECONDED BY DR. ANZALDUA TO APPROVE THE PROPOSED RULES CONCERNING THE REGULATION OF ABORTION FACILITIES FOR PUBLICATION IN THE *TEXAS REGISTER* FOR A 30-DAY COMMENT PERIOD.

Mr. McCleskey called for discussion and recognized persons to speak.

Ms. Kathy Seay, Policy Advisor for Representative Frank J. Corte, Jr., spoke regarding clinical regulations differentiating between licensed and unlicensed abortion facilities. Ms. Seay requested the department ensure that statutory authority for enforcement of Chapter 245 has been delegated to the appropriate body before changing the definition in the rules. Written testimony was submitted for the record. (*Attachment VI*)

Mr. Bill Crowden, Planned Parenthood of Central Texas, expressed concern regarding women who do not have access to computers enabling them to review the materials twenty-four hours in advance. Mr. Crowden suggested that every TDH site have copies of the materials available so women can easily access the materials in their own communities.

Beverly B. Nuckols, M.D., Executive Board member, Texas Physicians Resource Council, spoke in favor of requiring identification to verify age, and shorter, more concise consent forms. A vitae was submitted for the record. (*Attachment VII*)

Ms. Stacey Emick, Texas Right to Life, spoke in favor of the requirement of brochures for informed consent and certification forms. Written testimony was submitted for the record. (*Attachment VIII*)

Ms. Lisa Gerard, Fairmount Center, Dallas, spoke against the requirement to provide every patient with a brochure and a resource directory, the requirement to advise patients of the physicians obligations to take reasonable steps to maintain the life and health of a child that is born alive, and the requirement for clinics to obtain and file a photo ID for every patient.

Ms. Suzanne Besser, Facilitators of Learning on Prenatal Life, Belton, spoke in favor of certification forms. Written testimony was submitted for the record. (*Attachment IX*)

Ms. Jana Huband, The Justice Foundation, San Antonio, spoke in favor of the proposed rules and HB 15. Written testimony was submitted for the record. (*Attachment X*)

Ms. Peggy Romberg, Women's Health and Family Planning Association of Texas, expressed concern about the rule process being corrupted and unduly influenced by pressure from private interest groups and certain legislative offices. Ms. Romberg spoke against requirements that every woman be given the pamphlet and resource directory, a photo ID or affidavit to verify date of birth, the statement regarding physicians obligations to take reasonable steps to maintain the life and health of a child that is born alive, and signing of a certification form. Written testimony was submitted for the record. (*Attachment XI*)

Ms. Heather Paffe, Political Director, Texas Association of Planned Parenthood, spoke against requirements for a photo ID or affidavit to verify date of birth, requirements that all women have to be given a copy of the TDH pamphlet showing fetal development and listing the risks. Written testimony was submitted for the record. (*Attachment XII*)

Ms. Amy Hastin Miller, Whole Women's Health, Austin, stated she feels it is important to have these rules, but is against the requirements of a photo ID and that the ID is copied and kept by the facility, and against the requirements regarding documents that have to be given to all women.

Ms. Lesley Ramsey, Vice President, National Organization for Women, Texas, stated she is opposed to HB 15 and against the proposed rules.

Ms. Monica Faulkner, Legislative Aide for Representative Jessica Farrar, submitted written concerns for the record regarding the proposed rule requirements. (*Attachment XIII*)

Ms. Molly S. White, Executive Director, Living the Redeemed Life Ministries, Inc., spoke in favor of the proposed rules and HB 15. Written testimony was submitted for the record. (*Attachment XIV*)

Ms. Myra J. Myers, Women Who Regret Their Abortions, spoke in favor of the proposed rules. Written testimony was submitted for the record. (*Attachment XV*)

Ms. Sarah Wheat, Public Affairs Director, Texas Abortion and Reproductive Rights Action League, spoke against the requirement of all women to provide identification that is copied and kept at the clinic.

Ms. Ann Newman, spoke in favor of the proposed rules requiring a consent form and informational brochures, but feels the form is not adequate and needs to include information on medical risks and characteristics of an unborn child.

Ms. Joni Cohan, Ms. Julie Lowenberg, Ms. Ellen Sable, and Ms. Beverly Sufian, State Public Affairs Chairs, National Council of Jewish Women, submitted written testimony in advance for the record and copies were given to all Board members as requested. (*Attachment XVI*)

There was discussion among Board members, Ms. Susan K. Steeg, General Counsel, Mr. Charles Homer, Assistant General Counsel, and Mr. Rick Bays, Associate Commissioner for Consumer Health Prevention, regarding confidentiality issues, the department's responsibility for reporting the date of birth/age of the woman receiving procedures, the consent form and the definition of an abortion facility. Ms. Steeg responded to a question regarding official public comment by saying although today's comments are part of the public record for this meeting, official comments will need to be resubmitted during the formal public comment period that starts after publication of the rules in the *Texas Register*. Mr. McCleskey stated that the Board requests these rules be brought back to the January Board meeting for final adoption.

THE BOARD APPROVED THE PROPOSED RULES CONCERNING THE REGULATION OF ABORTION FACILITIES FOR PUBLICATION IN THE *TEXAS REGISTER* FOR A 30-DAY PUBLIC COMMENT PERIOD.

Ms. Yvonne Feinleib, Professional Licensing and Certification Division, requested approval of proposed rules concerning the documentation of midwives, as approved by the Texas Midwifery Board, to increase fees to cover the cost of administering the program. (*Attachment XVII*)

ON A MOTION MADE BY MS. SCHOLIN AND SECONDED BY MR. HANNIGAN, THE BOARD APPROVED THE PROPOSED RULES, AS APPROVED BY THE TEXAS MIDWIFERY BOARD, CONCERNING THE DOCUMENTATION OF MIDWIVES FOR PUBLICATION IN THE *TEXAS REGISTER* FOR A 30-DAY COMMENT PERIOD.

Mr. McCleskey announced a recess at 3:32 p.m., on Thursday, October 30, 2003.

Mr. McCleskey reconvened the meeting at 3:51 p.m., on Thursday, October 30, 2003. Other Board members in attendance were Ms. Mary E. Ceverha, Mr. Raymond Hannigan, Ms. Margo Scholin, and Dr. Mario Anzaldua.

Ms. Cindy Bednar, Director of Hospital Programs, Health Facility Licensing and Compliance Division, requested approval of proposed rules concerning regulation of private psychiatric hospitals and crisis stabilization units, regulation of hospitals and regulation of ambulatory surgical centers. (*Attachments XVIII - XX*)

Mr. McCleskey called for discussion and recognized persons to give public comment.

Mr. Matthew T. Wall, Associate General Counsel, and Starr West, Director of Healthcare Quality, Texas Hospital Association, expressed concerns that the draft patient safety rules exceed the intent of HB 1614 as well as the requirements of the Medicare conditions of participation. Written comments were submitted for the record. (*Attachment XXI*)

There was discussion among Board members, Ms. Steeg, Dr. Sanchez and Mr. Bays regarding the 30-day versus 60-day comment period, the need for a public hearing, providing support systems, the designation of an individual to serve as a Patient Safety Program Coordinator and patient safety education to all clinical and administrative staff.

ON A MOTION MADE BY MS. SCHOLIN AND SECONDED BY MR. HANNIGAN, THE BOARD APPROVED PROPOSED RULES CONCERNING REGULATION OF PRIVATE PSYCHIATRIC HOSPITALS AND CRISIS STABILIZATION UNITS FOR PUBLICATION IN THE *TEXAS REGISTER* FOR A 30-DAY COMMENT PERIOD.

ON A MOTION MADE BY MS. SCHOLIN AND SECONDED BY DR. ANZALDUA, THE BOARD APPROVED PROPOSED RULES CONCERNING REGULATION OF HOSPITALS FOR PUBLICATION IN THE *TEXAS REGISTER* FOR A 30-DAY COMMENT PERIOD.

ON A MOTION MADE BY MS. SCHOLIN AND SECONDED BY MR. HANNIGAN, THE BOARD APPROVED PROPOSED RULES CONCERNING REGULATION OF AMBULATORY SURGICAL CENTERS FOR PUBLICATION IN THE *TEXAS REGISTER* FOR A 30-DAY COMMENT PERIOD.

Ms. Chris Cordes, Health Facility Licensing and Compliance Division, requested approval of proposed rules concerning the regulation of birthing centers. (*Attachment XXII*)

ON A MOTION MADE BY MS. SCHOLIN AND SECONDED BY MR. HANNIGAN, THE BOARD APPROVED PROPOSED RULES CONCERNING THE REGULATION OF BIRTHING CENTERS FOR PUBLICATION IN THE *TEXAS REGISTER* FOR A 30-DAY COMMENT PERIOD.

Mr. Casey S. Blass, Chief, Bureau of Immunization and Pharmacy Support, requested approval of proposed rules concerning the immunization requirements for Texas child-care facilities, public or private primary and secondary schools, and students enrolled in health-related and veterinary courses in institutions of higher education. (*Attachment XXIII*)

ON A MOTION MADE BY DR. ANZALDUA AND SECONDED BY MS. SCHOLIN, THE BOARD APPROVED PROPOSED RULES CONCERNING IMMUNIZATION REQUIREMENTS FOR TEXAS CHILD-CARE FACILITIES, PUBLIC OR PRIVATE PRIMARY AND SECONDARY SCHOOLS, AND STUDENTS ENROLLED IN HEALTH-RELATED AND VETERINARY COURSES IN INSTITUTIONS OF HIGHER EDUCATION FOR PUBLICATION IN THE *TEXAS REGISTER* FOR A 30-DAY COMMENT PERIOD.

Ms. Jan Maberry, Program Manager, County Indigent Health Care Program, requested approval of proposed repeal of rules and new rules concerning the County Indigent Health Care Program to comply with current applicable state and federal law and reflect current practices and requirements. (*Attachment XXIV*)

ON A MOTION MADE BY DR. ANZALDUA AND SECONDED BY MR. HANNIGAN, THE BOARD APPROVED THE PROPOSED REPEAL AND NEW RULES CONCERNING THE COUNTY INDIGENT HEALTH CARE PROGRAM FOR PUBLICATION IN THE *TEXAS REGISTER* FOR A 30-DAY COMMENT PERIOD.

Ms. Jann Melton-Kissel, Chief, Bureau of Children's Health, requested approval of proposed repeal of rules and new rules concerning the Vision and Hearing Screening Program and the Audiometric Lab Program. (*Attachment XXV*)

ON A MOTION MADE BY DR. ANZALDUA AND SECONDED BY MS. SCHOLIN, THE BOARD APPROVED THE PROPOSED REPEAL AND NEW RULES CONCERNING THE VISION AND HEARING SCREENING PROGRAM AND THE AUDIOMETRIC LAB PROGRAM FOR PUBLICATION IN THE *TEXAS REGISTER* FOR A 30-DAY COMMENT PERIOD.

Ms. Jann Milton-Kissel, Chief, Bureau of Children's Health, requested approval of proposed rules concerning the Program for Amplification for Children of Texas (PACT) which provides hearing services and hearing aids to children up to the age of 12 years eligible for Medicaid or the Children with Special Health Care Needs Program. (*Attachment XXVI*)

ON A MOTION MADE BY DR. ANZALDUA AND SECONDED BY MS. SCHOLIN, THE BOARD APPROVED PROPOSED RULES CONCERNING THE PROGRAM FOR AMPLIFICATION FOR CHILDREN OF TEXAS (PACT) FOR PUBLICATION IN THE *TEXAS REGISTER* FOR A 30-DAY COMMENT PERIOD.

Ms. Cecilia Berrios, Community Health Promotion Specialist, requested approval of a proposed rule concerning the Promotor(a) or Community Health Worker Training and Certification Advisory Committee. (*Attachment XXVII*)

ON A MOTION MADE BY MS. CEVERHA AND SECONDED BY MS. SCHOLIN, THE BOARD APPROVED A PROPOSED RULE CONCERNING THE PROMOTOR(A) OR COMMUNITY HEALTH WORKER TRAINING AND CERTIFICATION ADVISORY COMMITTEE FOR PUBLICATION IN THE *TEXAS REGISTER* FOR A 30-DAY COMMENT PERIOD.

Ms. Jacquelyn McDonald, Director, Office of the Board of Health, requested approval of the proposed repeal of a rule concerning the Animal Friendly Advisory Committee and a proposed amendment to a rule concerning the Texas Department of Health Animal Friendly Grants that will abolish the committee due to HB 2292. (*Attachment XXVIII*)

ON A MOTION MADE BY MS. CEVERHA AND SECONDED BY MS. SCHOLIN, THE BOARD APPROVED THE PROPOSED RULES CONCERNING THE ANIMAL FRIENDLY ADVISORY COMMITTEE AND ANIMAL FRIENDLY GRANTS FOR PUBLICATION IN THE *TEXAS REGISTER* FOR A 30-DAY COMMENT PERIOD.



Ms. Jacquelyn McDonald, Director, Office of the Board of Health, requested approval of the proposed repeal of rules concerning the Kidney Health Advisory Committee, Indigent Health Care Advisory Committee, School Health Advisory Committee, Oral Health Services Advisory Committee, and the Children With Special Health Care Needs Advisory Committee that will abolish the committees due to HB 2292. (*Attachments XXIX-XXXIII*)

ON A MOTION MADE BY MS. CEVERHA AND SECONDED BY DR. ANZALDUA, THE BOARD APPROVED THE PROPOSED REPEAL OF RULES CONCERNING THE KIDNEY HEALTH ADVISORY COMMITTEE, INDIGENT HEALTH CARE ADVISORY COMMITTEE, SCHOOL HEALTH ADVISORY COMMITTEE, ORAL HEALTH SERVICES ADVISORY COMMITTEE AND THE CHILDREN WITH SPECIAL HEALTH CARE NEEDS ADVISORY COMMITTEE FOR PUBLICATION IN THE *TEXAS REGISTER* FOR A 30-DAY COMMENT PERIOD.

Ms. Peggy Belcher, Bureau of Budget and Revenue, requested approval of a proposed rule concerning reimbursement to tertiary care facilities and Level IV trauma facilities. (*Attachment XXXIV*)

ON A MOTION MADE BY MR. HANNIGAN AND SECONDED BY DR. ANZALDUA, THE BOARD APPROVED A PROPOSED RULE CONCERNING THE REIMBURSEMENT TO TERTIARY CARE FACILITIES AND LEVEL IV TRAUMA FACILITIES FOR PUBLICATION IN THE *TEXAS REGISTER* FOR A 30-DAY COMMENT PERIOD.

Ms. Peggy Belcher, Bureau of Budget and Revenue, requested approval of a final adoption of a repeal and amendments to rules concerning the Community Hospital Capital Improvement Fund. (*Attachment XXXV*)

ON A MOTION MADE BY MR. HANNIGAN AND SECONDED BY MS. SCHOLIN, THE BOARD APPROVED AN ORDER ADOPTING RULES CONCERNING THE COMMUNITY HOSPITAL CAPITAL IMPROVEMENT FUND TO BE EFFECTIVE 20 DAYS AFTER FILING WITH THE TEXAS REGISTER DIVISION, OFFICE OF THE SECRETARY OF STATE.

Ms. Peggy Belcher, Bureau of Budget and Revenue, requested approval of a final adoption of amendments to rules concerning the distribution of tobacco settlement proceeds to political subdivisions. (*Attachment XXXVI*)

ON A MOTION MADE BY MR. HANNIGAN AND SECONDED BY DR. ANZALDUA, THE BOARD APPROVED AN ORDER ADOPTING RULES CONCERNING THE DISTRIBUTION OF TOBACCO SETTLEMENT PROCEEDS TO POLITICAL SUBDIVISIONS TO BE EFFECTIVE 20 DAYS AFTER FILING WITH THE TEXAS REGISTER DIVISION, OFFICE OF THE SECRETARY OF STATE.

Ms. Joan Carol Bates, Assistant General Counsel, requested approval of final rules concerning the clearinghouse for primary care providers seeking collaborative practice. (*Attachment XXXVII*)

ON A MOTION MADE BY MR. HANNIGAN AND SECONDED BY MS. SCHOLIN, THE BOARD APPROVED AN ORDER ADOPTING RULES CONCERNING THE CLEARINGHOUSE FOR PRIMARY CARE PROVIDERS SEEKING COLLABORATIVE PRACTICE TO BE EFFECTIVE 20 DAYS AFTER FILING WITH THE TEXAS REGISTER DIVISION, OFFICE OF THE SECRETARY OF STATE.

Ms. Debra Stabeno, Deputy Commissioner, requested approval of final rules concerning the Texas Department of Health hospitals, consisting of the Texas Center for Infectious Disease (TCID) and the South Texas Health Care System (STHCS). The department recommends the repeal of these rules after a review of Chapter 109 and has determined that reasons for adopting the sections do not continue to exist. (*Attachment XXXVIII*)

ON A MOTION MADE BY MR. HANNIGAN AND SECONDED BY MS. CEVERHA, THE BOARD APPROVED AN ORDER ADOPTING RULES CONCERNING THE TEXAS DEPARTMENT OF HEALTH HOSPITALS TO BE EFFECTIVE 20 DAYS AFTER FILING WITH THE TEXAS REGISTER DIVISION, OFFICE OF THE SECRETARY OF STATE.

Ms. Paula McKinney, Chief, Licensing and Tier Two Reporting Branch, General Sanitation and Product Safety Division, requested approval of final rules concerning the community right-to-know requirements related to hazardous chemicals. (*Attachment XXXIX*)

ON A MOTION MADE BY MS. SCHOLIN AND SECONDED BY DR. ANZALDUA, THE BOARD APPROVED AN ORDER ADOPTING RULES CONCERNING THE HAZARDOUS CHEMICAL COMMUNITY RIGHT-TO-KNOW REQUIREMENTS TO BE EFFECTIVE 20 DAYS AFTER FILING WITH THE TEXAS REGISTER DIVISION, OFFICE OF THE SECRETARY OF STATE.

Ms. Susan Steeg, General Counsel, requested approval of a final rule concerning the suspension of license for failure to pay child support. (*Attachment XL*)

ON A MOTION MADE BY MS. SCHOLIN AND SECONDED BY MR. HANNIGAN, THE BOARD APPROVED AN ORDER ADOPTING RULES CONCERNING THE SUSPENSION OF LICENSE FOR FAILURE TO PAY CHILD SUPPORT TO BE EFFECTIVE 20 DAYS AFTER FILING WITH THE TEXAS REGISTER DIVISION, OFFICE OF THE SECRETARY OF STATE.

Mr. Matt Forrester, Epidemiologist, Texas Poison Center Network, requested approval of final rules concerning the operations and funding for Poison Control Centers and the Poison Control Coordinating Committee. (*Attachment XLI*)

ON A MOTION MADE BY DR. ANZALDUA AND SECONDED BY MS. CEVERHA, THE BOARD APPROVED AN ORDER ADOPTING RULES CONCERNING THE OPERATIONS AND FUNDING FOR POISON CONTROL CENTERS AND THE POISON CONTROL COORDINATING COMMITTEE TO BE EFFECTIVE 20 DAYS AFTER FILING WITH THE TEXAS REGISTER DIVISION, OFFICE OF THE SECRETARY OF STATE.

Jane Mahlow, D.V.M., M.S., Director, Division of Zoonosis Control, requested approval of final rules concerning the care of animals by circuses, carnivals, and zoos. (*Attachment XLII*)

ON A MOTION MADE BY DR. ANZALDUA AND SECONDED BY MS. SCHOLIN, THE BOARD APPROVED AN ORDER ADOPTING RULES CONCERNING THE CARE OF ANIMALS BY CIRCUSES, CARNIVALS, AND ZOOS TO BE EFFECTIVE 20 DAYS AFTER FILING WITH THE TEXAS REGISTER DIVISION, OFFICE OF THE SECRETARY OF STATE.

Jane Mahlow, D.V.M., M.S., Director, Division of Zoonosis Control, requested approval of final rules concerning training of animal shelter personnel. (*Attachment XLIII*)

ON A MOTION MADE BY DR. ANZALDUA AND SECONDED BY MS. CEVERHA, THE BOARD APPROVED AN ORDER ADOPTING RULES CONCERNING TRAINING OF ANIMAL SHELTER PERSONNEL TO BE EFFECTIVE 20 DAYS AFTER FILING WITH THE TEXAS REGISTER DIVISION, OFFICE OF THE SECRETARY OF STATE.

Ms. Cecilia Berrios, Community Health Promotion Specialist, Office of Public Health Practice, requested approval of final rules concerning the regulation of training and certification of promotores(as) or community health workers. (*Attachment XLIV*)

ON A MOTION MADE BY DR. ANZALDUA AND SECONDED BY MS. CEVERHA, THE BOARD APPROVED AN ORDER ADOPTING RULES CONCERNING THE REGULATION OF TRAINING AND CERTIFICATION OF PROMOTORES(AS) COMMUNITY HEALTH WORKERS TO BE EFFECTIVE DECEMBER 1, 2003 AFTER FILING WITH THE TEXAS REGISTER DIVISION, OFFICE OF THE SECRETARY OF STATE.

Mr. Casey S. Blass, Chief, Bureau of Immunization and Pharmacy Support, requested approval of a final rule concerning the diphtheria, tetanus, and acellular pertussis (DTaP) immunization requirements for children attending Texas child-care facilities and elementary schools. This rule sets forth the addition of one dose of DTaP to the vaccines required of children enrolled in Texas child-care facilities and elementary schools. (*Attachment XLV*)

ON A MOTION MADE BY DR. ANZALDUA AND SECONDED BY MS. SCHOLIN, THE BOARD APPROVED AN ORDER ADOPTING A RULE CONCERNING THE DIPHTHERIA, TETANUS, AND ACELLULAR PERTUSSIS (DTaP) IMMUNIZATION REQUIREMENTS FOR CHILDREN ATTENDING TEXAS CHILD-CARE FACILITIES AND ELEMENTARY SCHOOLS TO BE EFFECTIVE 20 DAYS AFTER FILING WITH THE TEXAS REGISTER DIVISION, OFFICE OF THE SECRETARY OF STATE.

Ms. Jacquelyn McDonald, Director, Office of the Board of Health, requested approval of a final rule concerning the Registered Sanitarian Advisory Committee. The committee has been reviewed and evaluated and it was determined that the committee should continue in existence until September 1, 2007. (*Attachment XLVI*)

ON A MOTION MADE BY MS. CEVERHA AND SECONDED BY MS. SCHOLIN, THE BOARD APPROVED AN ORDER ADOPTING A RULE CONCERNING THE REGISTERED SANITARIAN ADVISORY COMMITTEE TO BE EFFECTIVE 20 DAYS AFTER FILING WITH THE TEXAS REGISTER DIVISION, OFFICE OF THE SECRETARY OF STATE.

Ms. Jacquelyn McDonald, Director, Office of the Board of Health, requested approval of a final repeal of a rule concerning the Osteoporosis Advisory Committee. Funding for the Osteoporosis Prevention Education Program was eliminated for the FY 2004-2005 Biennium. Therefore, the need for this section no longer exists. (*Attachment XLVII*)

ON A MOTION MADE BY MS. CEVERHA AND SECONDED BY MS. SCHOLIN, THE BOARD APPROVED AN ORDER ADOPTING A RULE CONCERNING THE OSTEOPOROSIS ADVISORY COMMITTEE TO BE EFFECTIVE 20 DAYS AFTER FILING WITH THE TEXAS REGISTER DIVISION, OFFICE OF THE SECRETARY OF STATE.

There were no additional public comments.

Mr. McCleskey announced the next meeting of the Texas Board of Health will be held on Thursday, December 4, 2003, Austin, at a time to be announced.

The meeting was adjourned on Thursday, October 30, 2003, at 4:50 p.m.

APPROVED: December 5, 2003

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George H. McCleskey, Chair  
Texas Board of Health

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Date